

## **REMARKS/ARGUMENTS**

Claims 11-14, 19, 21 and 22 stand rejected under 35 U.S.C. 102(e) as being anticipated by Tarabbia; claim 20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Tarabbia in view of Applicants' Specification.

Claim 11 has been amended to include the limitations of forming at least a first and second active regions in said well region by forming a contact isolation structure in said well region between said first isolation region and said second isolation region; forming a gate dielectric layer on said first active region and said second active region; forming a gate layer on said gate dielectric layer wherein said gate layer overlies said first active region, said second active region, and said contact isolation region; and forming electrical contacts to said gate conductive layer wherein said electrical contacts are formed over said contact isolation region. The Tarabbia patent, as interpreted by the examiner, does not describe a first and second active region covered by the gate conductive layer. The gate conductive layer 206 in the Tarabbia patent covers only a single active area 205 and the STI structures 202 that are themselves not active regions. Claim 11 is now allowable over the Tarabbia patent. Claims 12-14 depend on claim 11 and are also allowable over the Tarabbia patent.

Claim 19 comprises the limitation of forming contact regions in said well region of a first conductivity type wherein said contact regions are formed using a source and drain region implantation formation process. While contact regions 208 are formed in the Tarabbia patent, claim 19 specifically limit the formation of the contact regions to the source and drain implants. This facilitates the integration of the structure with other

MOS transistor structures and is an important step in the varactor formation. Claim 19 is therefore allowable over the Tarabbia patent. Claim 20 further comprises the limitation of the formation of sidewall structures. Sidewall structures are not described in the Tarabbia patent and claim 20 is allowable over the Tarabbia patent. Claims 21 and 22 depend on claim 20 and contain all the limitations of claim 20. Claims 21 and 22 are therefore also allowable over the cited art.

Sidewall structures are not used in the formation of capacitors like that taught in the Tarabbia patent. It is therefore not at all obvious to place sidewall structures on a capacitor structure to arrive at the structure claimed in claim 20. The examiners statement in forming the rejection is merely a conclusion not supported by the underlying facts or the law.

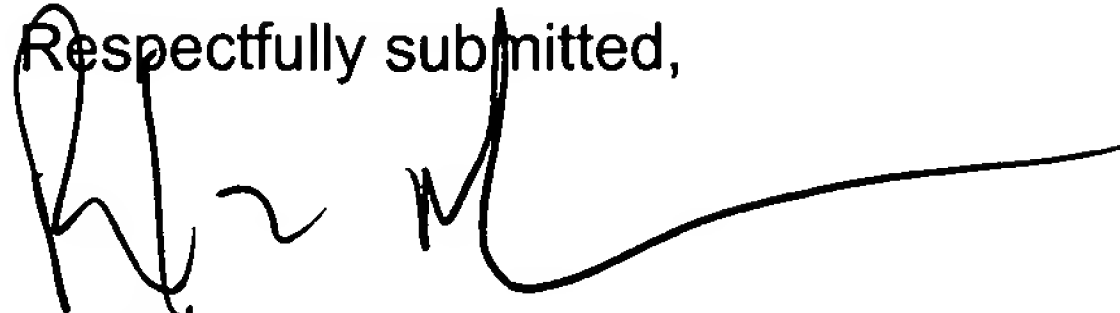
In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicants petition for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including

extension of time fees, to the deposit account of Texas Instruments Incorporated,  
Account No. 20-0668.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter K. McLarty', with a long horizontal flourish extending to the right.

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